



Department of Planning, Building and Code Enforcement
801 North First Street, Room 400
San José, California 95110-1795

Hearing Date/Agenda Number:
P.C. 11/17/03 Item: 3.n

File Number:
GP03-T-02

Council District and SNI Area:
Citywide

Major Thoroughfares Map Number:
N/A

Assessor's Parcel Number(s):
N/A

Project Manager:
Lesley Xavier

GENERAL PLAN REPORT

2003 Fall Hearing

TEXT REFERENCE:

Chapter V. Land Use Transportation Diagram; Land Use Diagram; Combined Industrial/Commercial; page 223

PROJECT DESCRIPTION:

Amend the General Plan text to update the definition of the Combined Industrial/Commercial land use designation.

LOCATION: N/A

ACREAGE: N/A

APPLICANT/OWNER:

Staff

ENVIRONMENTAL REVIEW STATUS:

San Jose 2020 Environmental Impact Report certified by City Council Resolution No. 65459 on August 16, 1994

PLANNING STAFF RECOMMENDATION:

Adopt the proposed text amendment.

Approved by:

Date:

PLANNING COMMISSION RECOMMENDATION:

CITY COUNCIL ACTION:

CITY DEPARTMENT AND PUBLIC AGENCY COMMENTS RECEIVED:

- None received.

GENERAL CORRESPONDENCE:

- None received.

ANALYSIS AND RECOMMENDATIONS:**BACKGROUND**

The Combined Industrial/Commercial land use designation has been modified over the years to respond to changing conditions. The designation was originally created in the City's first modern General Plan, GP 1975-1990, and permitted the uses of the Industrial Park and Light Industrial land use designations, as well as "office and retail uses, in general". Shopping centers were not intended. The only change with the adoption of the Horizon 2000 General Plan was the removal of the words "in general". In 1991, the phrase "but shopping centers are not intended" was removed. In 1994, through the adoption of the San Jose 2020 General Plan update, the uses of the Neighborhood/Community Commercial and General Commercial designations were added to the text and the sentence stating, "but suburban type shopping centers are not intended" was added back into the text.

ANALYSIS

The intent of this amendment is to resolve existing confusion regarding the intent and direction of the Combined Industrial/Commercial land use designation and to update its provisions to reflect current land use and development trends. It is also a first step in revising the General Plan's land use designations which support economic development and employment-generating land uses. Future changes to such designations are expected to occur in response to recommendations of the Economic Development Strategy in order to respond more flexibly to the changing needs of businesses in San Jose.

The Combined Industrial/Commercial designation currently states that *"This land use category is intended for commercial, office, or industrial developments or a compatible mixture of these uses in areas which already exhibit such a mixed land use pattern as to make it difficult to define rational boundaries for each of these categories."* In order to provide more flexibility as to where this land use can be applied, the latter portion of the sentence is proposed to be deleted (*"uses in areas which already exhibit such a mixed land use pattern as to make it difficult to define rational boundaries for each of these categories."*) The General Plan Industrial and Commercial Land Use Policies, together with the adopted design guidelines for these land uses provide good direction regarding the location and design of such uses.

Under the Combined Industrial/Commercial designation, uses of the Neighborhood/Community Commercial designation are permitted. However, the Neighborhood/Community Commercial designation is intended for small-scale retail development that is typically located in suburban neighborhoods. Based on recent retail trends and the pending Economic Development Study, we are finding the need for a more flexible land use designation that allows retail uses on a larger scale. Replacing the allowance of Neighborhood/Community Commercial uses with General Commercial uses would allow the Combined Industrial/Commercial land use designation to be a vehicle in which modern retail development (i.e. "Big-Box" retail in combination with other retail and commercial businesses) can occur. The General

Commercial land use designation provides the needed flexibility. Therefore, the text is being amended to remove reference to the Neighborhood/ Community Commercial land use designation.

Industrial uses would continue to be allowed as part of this designation. No changes are proposed at this time to modify the types of industrial activities considered to be appropriate under this designation.

Finally, the current language includes direction regarding expected levels of development intensity by specifying floor area ratios (FAR) for various land uses. This language is no longer considered necessary since development intensity is controlled by General Plan Urban Design policies, the building height policies, in particular, as well as through application of adopted design guidelines. For this reason, the final paragraph in the current text is being deleted.

Environmental Issues

The San Jose 2020 General Plan Environmental Impact Report certified by City Council on August 16, 1994 addressed all required environmental issues on the project.

PUBLIC OUTREACH

The Planning Department held community meetings on October 14th and 15th, 2003 to discuss the proposed Fall 2003 General Plan amendments. No comments were received in regards to this amendment at the community meetings. In addition, the community can be kept informed about the status of amendments on the Department's web-site, which contains information on the General Plan process, each proposed amendment, staff reports, and hearing schedule.

RECOMMENDATION

Planning staff recommends adoption of the proposed text amendment.

Attachments

PBCE002/GP_Team/2003Annual Review/GP03-T-02/Staff Report/GP03-T-02.sr

PROPOSED SAN JOSE 2020 GENERAL PLAN TEXT AMENDMENT

Amend Chapter V. Land Use Transportation Diagram; Land Use Diagram; Combined Industrial/Commercial, page 223 as follows:

Combined Industrial/Commercial

This land use category is intended for commercial, office, or industrial developments or a compatible mixture of these uses. ~~in areas which already exhibit such a mixed land use pattern as to make it difficult to define rational boundaries for each of these categories. Two areas in which this condition exists are the Bayshore Freeway/North First Street/Highway 880 area and along Monterey Highway.~~ The uses of the Industrial Park, and Light Industrial, and General Commercial land use categories are consistent with this use category. ~~The uses of the Neighborhood/Community Commercial and General Commercial designations are appropriate in this designation but suburban-type shopping centers are not intended. However-~~ “Big Box” retail as a stand-alone use or as part of a larger retail development is appropriate in this designation. Uses should be arranged on the site in a manner that avoids land use incompatibilities.

~~Development intensities under this designation are likely to vary considerably based on the nature of the specific uses likely to occur in a particular area. In general, office development is not expected to exceed an FAR of 1.5 and typical commercial, industrial park and light industrial development is not expected to exceed an FAR of 0.35. Average intensities are expected to be significantly less.~~ Development intensities under this designation are likely to vary considerably based on the nature of the specific uses likely to occur in a particular area. In general, office development is not expected to exceed an FAR of 1.5 and typical commercial, industrial park, and light industrial development is not expected to exceed an FAR of 0.35. Average intensities are expected to be significantly less.

Old staff report text

This is a staff initiated, General Plan text amendment to update the language of the Combined Industrial/Commercial land use designation. The Combined Industrial/Commercial land use designation is the broadest designation in the General Plan. It allows uses that fall under the Industrial Park, Light Industrial, Neighborhood/Community Commercial, and General Commercial land use designations with the exception of suburban type shopping centers, which are not intended.

The following is a brief history of the Combined Industrial/Commercial land use designation, starting with when it was added to the General Plan and continuing with when amendments were made to the text:

- The GP 1975-1990: The Combined Industrial/Commercial land use designation was incorporated into the General Plan. The original language permitted the following uses, Industrial Park, Light Industrial, and retail and office uses in general. Shopping centers were not intended.
- 1984 – Horizon 2000: Language basically stays the same. The “in general” text is removed from the sentence allowing retail and office uses.
- 1991 – File No. GP91-T-11: The portion of the text that states, “but shopping centers are not intended”, was removed from the language.
- 1994 – San Jose 2020 General Plan Update: The allowance of Neighborhood/Community Commercial and General Commercial uses were added to the text and the sentence stating, "but suburban type shopping centers are not intended", was added back into the text.

ANALYSIS

The current language of the Combined Industrial/Commercial land use designation is confusing and is internally inconsistent. In order to clarify the intent of this designation, staff is proposing to amend the General Plan text.

One confusion with the existing language is the sentence that states, "This land use category is intended for commercial, office, or industrial developments or a compatible mixture of these uses in areas which already exhibit such a mixed land use pattern as to make it difficult to define rational boundaries for each of these categories." Staff's interpretation of this sentence is that a site may be developed with commercial or industrial uses, or a compatible mixture of both. Others have interpreted the sentence to mean that the general area in which the site is located should exhibit a mixed land use pattern in order to locate any new mixed use development. For this reason, staff is proposing to eliminate the following part of the sentence:

This land use category is intended for commercial, office, or industrial developments or a compatible mixture of these uses. ~~in areas which already exhibit such a mixed land use pattern as to make it difficult to define rational boundaries for each of these categories~~

The point of inconsistency in the text lies in comparing the section of the text, which states that Neighborhood/ Community Commercial uses are permitted with another section, which states that suburban-type shopping centers are not intended. The Neighborhood/Community Commercial land use designation is specifically intended for neighborhood/suburban shopping centers, but the Combined Industrial/Commercial land use designation does not intend for that use to occur. To eliminate this inconsistency staff proposes to remove the Neighborhood/Community Commercial land use designation as a permitted use from the language as well as removing the sentence specifically prohibiting suburban-type shopping centers.